

## **REMARKS**

### **Summary of the Office Action**

Claims 1-5 and 7-17 are currently pending and at issue in the present application.

Applicant respectfully submits no new matter has been added by this Reply.

Claims 1-5 and 7-17 are rejected under 35 U.S.C. §101; Claim 7 is rejected under 35 U.S.C. §1.75(c) as being of improper dependent form and the specification is objected to for failing to provide proper antecedent basis for the claimed subject matter, under 37 U.S.C. §1.75(d)(1); the drawings are objected to under 37 U.S.C. §1.83(a); Claims 1-5 and 7-17 are rejected under 35 U.S.C. §103(a) as being unpatentable over Tran, US Publication number 2006/0190807 (hereinafter referred to as “Tran”) in view of Rivette et al., US Publication number 2007/0208669 (“Rivette”) and further in view of Blair et al., US Publication number 2002/0112114 (“Blair”).

Applicant requests reconsideration of these rejections, in light of the below remarks.

### **Substantive Rejection Under 35 U.S.C. §103**

Examiner has rejected Claims 1-5 and 7-17 under 103(a) as being unpatentable over Tran in view of Rivette and further in view of Blair.

35 U.S.C. 103(a) states:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Applicant respectfully submits the Examiner has not established a prima facie case of obviousness with respect to claims 1-5 and 7-17.

First, with respect to claims 1 and 16, the applicants assert that Tran, Rivette or Blair do not, alone or in combination, teach or suggest a hierarchical claims diagram where the graphical claims structure has geometric outlines containing and fully displaying the textual claim content of at least part of a patent claims series. Applicants respectfully assert that claim 1 as amended provides for a graphical or visual hierarchical representation of a combination of claim structure and claim content, as shown in Figures 1 and 2; this graphical or visual hierarchical presentation of the claim structure and claim content is fundamentally different from the type of data communication utilized in both Tran and Rivette.

The Tran reference describes a document drafting system (see Tran, abstract). It describes using two separate window layout frames, to display the claim structure and the claim content. In Tran, the textual claim content is placed in the left frame of a window, and an image of the claim structure is placed in the right frame of the window, as shown in Figure 3B of Tran. In Tran, *the image of the claim structure and the claim content are displayed and function separately as required by Tran's teachings*. Applicant respectfully asserts that claims 1 and 16 are directed to *including the graphical claim structure inline with the claim content* that is neither taught nor suggested in Tran.

Additionally, there is *no connection between the claim structure and the associated claim text*. In Tran, as seen in Figure 3B, the claim text is in no way connected with the visualization of claim content; in fact, exemplary claims 1-5 and part of claim 6 is shown in the left window frame, but all the claim structure for claims 1-12 are shown in the right window frame. The *purpose of the Tran's claim structure is to facilitate textual reordering and renumbering* (see Tran, para. 0061). There is no visual connection showing the hierarchy of

claim content and structure properly associated inline. Applicant's invention provides this connection which greatly facilitates the purposes of the invention. Therefore, there is no teaching, motivation, or suggestion in Tran, to combine it with another reference as compared to the present invention.

Regarding claims 11 and 17, Tran, Rivette and Blair nowhere teach or suggest, alone or in combination, automatically generated multiple hierarchical diagrams, each diagram including at least one key component and at least one subcomponent associated with the at least one key component, wherein the text-based and graphical-based components are integrally visually generated and linked.

Amendments of the claims include substantive material from the originally filed application, i.e., from the Specification paragraph 26. Applicant asserts that no new matter was included inasmuch as these amendments are fully supported by the specification and drawings originally submitted.

[0026] Simultaneous or subsequent to the data inputting process, the system automatically organizes the inputted components and their subcomponents into a hierarchy based upon the user(s) inputs; the drafter may override or modify the initial hierarchical order or organization thereafter. This hierarchy is one in which the component and its subcomponent(s) are linked in a dependent manner or parent/child relationship. The components are thus linked such that they can be outputted in a format that preserves the hierarchy established by the drafter. The method also allows for the multiple hierarchy charts, such that multiple charts can be display alternately or simultaneously. This function can be important if a patent drafter is unsure of the hierarchy of components. Thus, optional hierarchies can be generated with which the drafter can

Application No.: 09/943,799  
Attorney Docket No. 4020-001  
Reply to Office Action of October 20, 2010


query others as to which is the preferred hierarchy. The multiple charts can be made by duplicating the original chart and then varying only the elements to be changed.

**CONCLUSION**

The Office Action of October 20, 2010, has rejected Claims 1-5 and 7-17 under 35 U.S.C. §103(a) as being unpatentable over Tran in view of Rivette and further in view of Blair. The amendments and remarks of Applicant address these rejections. Accordingly, Applicant believes the amended claims are in condition for allowance. Reconsideration of the pending rejections is respectfully requested, and a notice of allowance is respectfully sought.

If any issues remain outstanding, incident to the allowance of the application, Examiner AN is respectfully requested to contact the undersigned attorney at (919) 268-4236 or via email at [jingn@trianglepatents.com](mailto:jingn@trianglepatents.com) to discuss the resolution of such issues, in order that prosecution of the application may be concluded favorably to the applicant, consistent with the applicant's making of a substantial advance in the art and particularly pointing out and distinctly claiming the subject matter that the applicant regards as the invention.

Respectfully submitted,



Jenan Glasgow, Reg. No. 42585  
Triangle Patents  
PO Box 28539  
Raleigh, NC 27611-8539  
919-268-4236 phone